THE COURTS.

Important Cases Decided by Supreme Court, General Term.

HARD STRUGGLE FOR LIBERTY.

Pleasing Perquisites of a Government Department Clerk.

SUDICIAL ASSIGNMENTS FOR APRIL.

The judges of the Supreme Court, General Term tion to holding court all the month, have evidently oc-supped a good deal of their time out of court in writing mptitude that will of course be appropriately apted by lawyers, who are always impatient to know what disposition is made of their cases. A batch of decisions was handed down yesterday, but none, as it appened, however, in cases of any very great public interest. An epitome of the more important decisions is given below.

ional estate. He applied to the Commissioners to racate the assessment, for the reason that his personal estate, amounting in the aggregate to \$125.000, except-ing \$5.500, was continuously employed in the business of exporting cotton to foreign countries. It was of exporting cotton to foreign countries. It was claimed that the taxation of such property was unconstitutional on the grounds, first, that Congress shall have power to regulate comnerce with foreign nations and among the several states and with the Indian tribes; second, that no tax or duty shall be laid on articles exported from any State; and, third, that no State shall, withhe consent of Congress, lay any imposts or duties imports or exports. The matter came before the supreme Court, General Term, on a certification to review the decision of the Commissioners refusing to vacate the assessment. The Court holds, Judge Daulels writ-

the assessment. The Court holds, Judge Daulels writing the opinion, that the imposition of tax upon capital cannot be assumed a regulation of commerce; that his capital only was taxed, regardless of the maner in which it might be used, simply as his property; the money was not an export, nor was it intended for expertation. The property he purchased with the money sequired that character, and the constitution has only exempted the articles and not the capital. He therefore affirms the decision of the Commissioners.

The matrimonial troubles of Pauline Lucca have already been fully published in the Harald. Having procured from Baron Von khade a sort of railroad divorce should be procured within three months, the married her present husband. The list husband, however, was not satisfied, and on his application the judgment was opened at Special Torm, with liberty to answer the complaint. This state of affairs was displeasing to Mme. Lucca, and she brought suit against her attorneys for damages. The case was tried at Circuit, when the jury, after hearing the testimony, thought the facts old not warrant any such suit, and the result was a dismissal of the complaint. From this an appeal was taken to the General Term, which Court, Judge Davis writing the opinion, reverses such judgment and directs a new trial.

In the case of Leopold Bamberger, as assignee of S. Casite & Co., in which suit was brought for the purposes of distributing the fund and asking for a discharge as assignee, the Court, by a unanimous decision, yesterday reversed the order herectore made by Judge Danba appointing a receiver. The Court says that the unsustanted evidence of Mr. Hyams war-

ludge Donohuo appointing a receiver. The Court says that the unsustained evidence of Mr. Hyams warranted no interiorence on the part of the Court, and that the administration of the trust by Mr. Bamberger was in strict compliance with the law. The action of Mr. Hyams was, in the opinion of the Court, totally

In laying out the Southern Boulevard the land occupied by St. John's College, comprising 103 acres, was
divided, leaving on one side the college buildings.
Upon the other portion, without any buildings, taxes
were imposed, and the case came before the Court upon
a writ of certiorari to review the action of the Tax Com
missioners. The Court (Judge Davis writing the opintion) holds that the whole of the college grounds are ex
simply from taxation the same as before the construction
stabs Boulevard.

ships from taxation the same as before the construction of the Boulevard.

William R. Martin, Commissioner of Public Parks, as coursel for the Windsor Hotel Company, brought in a bill of charges for some \$60,000, which bill has siready been published in the Herath. The hotel company considered these charges extortionate and refused to pay them, and especially insisting, as it does, that the services were not on its retainer, but that of John P. Daily, who had paid in full for the services. A reference was ordered, and how the General Term reverses this order, directing a trial by jury.

A motion was recently made to disbar Kaulman

rerses this order, directing a trial of our array and a motion was recently made to distar Kaulman Simon by Judson S. Worth, it being charged that Mr. Simon was guilty of irregular practice in having one Kennedy make affidavit of service of a summons upon Worth, which summons the latter claimed was never made. The Court, after a thorough investigation of the facts, found that there was not a scintilis of evidence against Mr. Simon, and so dismissed the produce of the facts of the f

the facts, found that there was not a scintilia of evidence against Mr. Simon, and so dismissed the proceedings.

Michael Leary, a policemen, who was playing cards in a liquor store when he should have been patrolling his beat, hoped through this Court to effect his rematatement as a policeman. The Court, however, sustains the Police Commission in its action.

Judge Damels gave the decision of the General Term in the matter of the People ex rel. Elin A. Doubleday ys. Kelly, Compiroller. During the present month the petitioner's property in Walker street was soid for non-payment of taxes for 1869-70. The purchaser, William H. Ely, advanced the taxes, and measures were taken under the act of 1871 to complete the title. After the time for the redemption Mrs. Doubleday offered to pay the Commissioners the taxes and seven per cent interest, which was less than the terms of the act of 1876, and the Comptroller relused the offer on the ground that the latter set only applied to non-payment of arrears, and did not provide for redemption after sale, and that the act of 1876 is only applicable where there is no sale. The Court so hoids; and the order denying a mandamus against the Comproller receive the offer is affirmed.

Charles A. Harrington got a contract with the Dock Department for supplying sand and broken stone in quantities "more or less," to be estimated by the engineer. The plaint if sued for supplies over and above the estimates. The only refused payment, holding him to the exact amount of the catimates. The plaintiff got a judgment and the city appealed. Judge Brady, delivering the opinion of the General Term, says that the quantity, as suggested, is only an estimate, and that the plaintiff would be bound to deliver all that was necessary to tuill his contract or such part thereof as the engineer might deem necessary. The plaintiff has the certificates of the engineer and of the Dock and Public Works departments, in reference to all the additional quantities that the part payment, the defendants seek, by a n

KNOTTY LAW QUESTIONS.

An application was made yesterday by Mr. William F. Kintzing to the Court of Appeals, now in session in Albany, for the discharge from the Pententiary o Barnesciotta, familiarly known as "Garibaldi," and Annie Smith, two well known characters who were ber term of the Court of General Sessions of keeping a disorderly house in the Fifteenth ward, and sentenced each to an imprisonment of one year and a fine of \$200. The only evidence introduced upon the trial was that of three young girls, inmates of the house. During the trial a number of exceptions were taken by the counsel for the prisoners to the rulings of the Court upon questions of law and evidence, upon which the present application is founded. The cree has been reviewed by the Supreme Court, and the judgment of the Sessions affirmed. Subsequently a writ of error was allowed, and all the proceedings removed to the Court of Appeals for final review. Upon the trial John Barnesciotta was induced under the shas of "John Barnesciotta, which preceded the alias. The Court held that so long as the right name of the defendant was in the indictment the additions were surplusage and of no account. It is now contended by Mr. Kintwish in the indictment the additions were surplusage and of no account. It is now contended by Mr. Kintwish in the indictment the additions were surplusage and of no account. It is now contended by Mr. Kintwish in the indictment that it is prejudical to an accused to be indicted under an alias, especially one to which odium is attached; that the name of "Garibaid," is an exceedingly odious one to Catholics, and against which they entertain a great prejudice, in consequence of Garibaid," acts itoward the Pope, and should there have been any Catholic jurymen on the jury it cortainly was most unfortunate for the accused, that it was a reflection upon the character of the accused, that it was a reflection upon the character of the accused, that it was a reflection upon the character of the accused, that it was a reflection upon the character of the accused, that it was a reflection upon the character of the accused in the puts it in issue, and which should never be intended to indicate the indicate and citing alreed errors in the admission of testimony he i each to an imprisonment of one year and a fine of \$250.

and of which he was not apprised in the indictment. District Attorney Phelps followed in behalf of the people, claiming the conviction was in all respects proper. He submitted that a proper disposition had been made of the plea in abstement; that the accused had no right to complain as long as he was indicted by his true name, which he admitted by his plea; that there was no force in the suggestion of any prejudice operating against the accused by reason of the slins attached to his name in the indictment, After hearing the respective counsel the Court reserved its decision.

REGISTERED BOND FRAUDS.

George S. Jenkins, the prosecutor of claims against the government, who was arrested on a charge of obthe government, who was arrested on a charge of obtaining information from Thomas G. Douglas, a clerk in the Treasury Department, appeared yesterday for examination before Commissioner Osborn. Special Agent Timmins, who was the first witness, testified that Douglas had charge of the books containing the records of unclaimed interest on registered bonds. This interest was always paid by the interest teller on application of the party in whose name the bond was issued, or to the executors or heirs or the person having a power of attorney. The witness knew Douglas and Jenkins, and saw the latter frequently in Washington; witness had conversed with Jenkins relative to the collection of interest on registered bonds; Jenkins told witness that he was furnished with information from the Treasury Department regarding unclaimed interest, and that he had agreed to give the party who furnished the information one-half of the amount he received for prosecuting the claims; Jenkins did not tell witness who it was that lumished the information; when witness asked him how he paid this party without being detected, Jenkins said that he sent the money by express to the party's wire, and that one time he sent her \$500 as coming from "Sharpe," this being Jenkins' midde name. Jay C. Young, of this city, in charge of the transmission of money through the Adams Express Company, identified entries on way bills, showing consignments of money to Washington from D. Sharpe te T. G. Douglas. One entry was October 16, 1876, \$500, another, December 20, 1876, \$400, and a third January 31, 1876, \$500. William A. Cary testified that he delivered the last package named to a lady in Washington, whom he supposed to be Mrs. Douglas. The examination was then adjourned.

COURTS FOR APRIL.

All the activity of the judges and hard work of counsel and pressing pertinacity of counsel to bring their cases to trial do not seem to have any material effect in reducing the calendars. For the coming effect in reducing the calendars. For the coming month they are as heavy in all the branches of the courts as at any time heretofora. In the absence of the expected Tweed and Sweeny suits there will be no "ring" suits except one of comparatively petty significance brought against Thomas Coman, one of the historic Commissioners of the new Court House. This is set down for early trial in the Supreme Court. The Vanderbilt will matter having been settled, leaves a hiatus in this class of suits. Altogether, although there is plenty of work, it will be mainly of the dull and heavy routine class. There will be no General Term of the Supreme Court. Judge Donohue will sit in Chambers and Judge Van Vorst in Special Term. The three trial terms will be held respectively by Judges Lawrence, Barrett and Van Brunt. The Special Term of the Superior Court will be held by Judge Sanford. Judge Speir will hold Part 2, Trial Term, and Judge Curtis Part 3. In the Court of Common Pleas the Equity Term will be held by Chief Justice Daily, and the trial terms by Judges Van Hoesen, Larremore and J. F. Daily respectively. In the United States courts there is promise of a very busy month. Both branches of the General Sessions will be in active session. The Court of Oyer and Terminer opens on the 9th of the month, with Judge Brady on the beach and an unusually large calendar. The assignments for the next term in the different branches of the Marine Court, are:—Trial Term. Part 1, Judge Alker, Part 2, Judge Sheridan; Part 3, Chief Justice Shea, and Chambers, Judge Sinnott, Judge McAdam retires from Chambers after having disposed of motions during the month of March reaching the unprecedented number of 1,759. Of these, 1,042 were exparte and 711 contested.

THE ORLEANS FLATS.

Miles A. Stafford, it appears by a petition in bankruptcy filed last week, built three houses on Eighth avenue, known as the Orleans Flats. Various creditors allege that Stafford caused certain second mortgages for a large sum, to be charged on the buildings through his mother-in-law, a Mrs. Hofer. The creditors claim that those mortgages and conveyances were in fraud of their rights as they have not been paid for the materials and labor supplied in the erection of the houses. Massrs. Kneeland & Carter, counsel for petitioning creditors, moved in the United States courts for an order to have Miles A. Stafford show cause why he should not be declared a bankrupt for the benefit of his creditors. The petition refers to certain proceedings before one of the police justices in which Miles A. Stafford was complainant. That examination disclosed lacts unknown to the various creditors who had supplied the materials to erect and finish the buildings in question. On learning the methods by which they were deprived of the security the houses afforded they commenced proceedings in bankruptor. A hearing will be had on April 7. for a large sum, to be charged on the build-

BENEFIT OF POLLING A JURY. The much tried suit of Edward Simon & Bros., veston, has at length been disposed of by Judge Mc-Adam in favor of the defendant. The Judge has filed a lengthy opinion, in which he carefully reviews the entire testimony, referring rather severely to the alterations made in the plaintiff's books for the purpose of making it appear that the credit was given to Simon Mooney, of Texas, instead of to Mooney & Co., of New York. This is the same suit which was recently twice tried before a jury on the first was recently twice tried before a jury on the first of which trials the jury rendered a vertict for the plaintiff, but upon being polled it was ascertained that one or two of the jurors entertained a different opinion. A second trial was had before another jury, which resulted in a second disagreement, whereupon Mr. Richard S. Newcombe, defendant's counsel, proposed to submit the testimony taken to Judge McAdam, without a jury, which was assented to by Mesars. Hildreth & Schafer, the plaintiff's counsel, resulting, as above stated in a judgment being rendered in layor of Mr. Mooney.

SUMMARY OF LAW CASES. Commissioner Osborne yesterday dismissed the proceedings in the case against Abraham and Isidor Goldstein, charged with fraudulent bankruptey and

discharged the defendants.

Thomas J. Taylor, one of the lottery dealers arrested at the time of Anthony J. Comstock's raid, waved examination yesterday and was held by Com-

The Court of Oyer and Terminer met yesterday, acted and the Court adjourned until the 9th of April. Mr. Fred D. Fiske, who has obtained a judgment for \$973 62 against the Atlantic Fire Annihilator Company, but which judgment he avers has not been paid, has petitioned the supreme Court for the appointment of a receiver of the company. Judge Larremore yesterday granted an order to show cause why such receiver should not be appointed.

James Stewart filed a polition in the Marine Court

James Stewart field a potition in the started-out-yeaterday for an order requiring his late attorney, James H. Whitelegge, to render an account of various collections made by him in his professional capacity as attorney of the Cept in suits pending therein. Judge McAdam granted the order, fixing April 4 as the time

collections made by him in his professional rapacity as attorney of the Cort in suits pending therein. Judge McAdam granted the order, fixing April 4 as the time for the hearing.

A motion was made yesterday before Judge Lawrence, in Supreme Court Chambers, by General Bariow as counsel for the people in the well known Ring suit against Thomas Coman, which is set down for trial during the April term of the Supreme Court, for leave to amend the complaint by setting up negligence as well as fraud in passing accounts as one of the Commissioners of the new Court House. Thuge Lawrence took the papers reserving his decision.

An order vacating the order of arrest in the case of Tucker V. Sheridan was yesterday presented for settlem in to Judge McAdam at Chambers of the Marine Court. The motion to vacate having been made on plaintiff's own papers for insufficiency, Judge McAdam wrote a lengthy opinion, in which he holds substantially that the plaintiff should have expressly stated in his moving affidavit that he relied upon the alleged false representations, and was induced thereby to part with the property for which this suit was brought to recover, and further that the order coula not be upheid. He granted the motion, without costs, on condition that delendant would not see plaintiff for false imprisonment, this, however, not precluding an action for malicious prosecution. Mr. Dennis A. Spellison appeared for the motion to vacate, and Mr. W. T. Birdsail in opposition.

The arbitration of the matters in difference between Eugene A. Heath and James H. Ingersoil is still proceeding before Charles O'Conor, as arbitration, at No. 167 Broadway. It has now been in session for the last two weeks, during which time an immense amount of proof, or all and written, has been presented on behalf of Mr. Heath was examined as a witness during the week, and occupied almost three days in his examination. During this week Messrs. Compton and Root, counsel for Ingersoil, will probably begin presenting the proofs on his behalf, which pro

BOARD OF EXCISE.

During the past week the Board of Excise granted thirty-seven applications for licenses and received

THE UN(MAC)GOVERNABLE DOCTOR.

WHAT THE JUSTICES AT SPECIAL SESSIONS DID WITH HIS CASE-THE LADY FOUND "NOT GUILTY" OF ASSAULT.

A large number of speciators assembled in the Court of Special Sessions yesterday in anticipation of spicy developments in the McGovern-Moorcraft assault and battery case, but the prossic magnitudes disappointed them by ruling out all testimony except such as bore directly on the alleged assault. The circumstances of the case have already been published in these columns, and are briefly the struggles of a young physician to administer to the allments of an interesting young lady, who looked forward to his visits with pleasure, in opposition to the direct command of the said young lady's lawful guardians.

nue, a recent graduate of Believue Medical College, is the hero, and Miss Emma Newton, living with her guardian, Mr. Moorcraft, of No. 880, the same avenue is the patient. Miss Emma, it appears, was subject, occasionally, to fits, and latterly Dr. McGovers became her physician. His visits were frequent, and soon the watchiul guardian fancied that he detected symptoms of a tender attachment between the two. This, ion reasons of his own, he was not willing to permit, and so forbade the young disciple of Esculapius to again enter the house. The prohibition only served to make the Doctor more persistent, and he once more called upon his patient. Mrs. Moorcraft met him at the door and indignantly demanded that he retire. He refused and a scene ensueu, during which the Doctor claims that Mrs. Moorcraft struck him in the face. He, therefore, had her arrested for assault and battery.

The first witness called yesterday was Dr. McGovern, who testiled that on the morning of the 15th ult., as he was proceeding to ms residence, having just come from Believue Hospital, he passed Miss Newton's house; a note fluttered from an upper window and fell at his fect; he read it; it asked him to call on Miss Newton; he could not refuse, and he valiantly ascended the steps and boildly pulled the bell. On the door being opened he pushed through into the parlor, where he met Mrs. Moorcraft. She looked at him "sarcastically," and asked the object of his visit. "You have abused this young woman long enough; now I propose to take charge of her," was the reply of the Doctor. With rising indignation Mrs. Moorcraft ordered him out, and on his relusal to go she rushed at him, pushed him on the sofa and slapped his face.

"I said to her," testified the doctor, "that if she were not a woman I would tear her heart out." Then hiss Emma rushed between them and the seene ended. Witness proceeded to introduce in evidence a card explanatory of the trouble published in the Heralin, but the Court ruled it out.

Visarinkatory Haben testified that she was in the parlor when the doctor entered; Mrs. Moorcraft ordered him out; he put his hand behind him as i guardian, Mr. Moorcraft, of No. 880, the same avenue. is the patient. Miss Emma, it appears, was subject, occasionally, to fits, and latterly Dr. McGovern became

PROBATE MATTERS.

During the past week the wills of the following named persons, deceased, were admitted to probate in the Kings County Surrogate Court, before Hon. Walter

the Kings County Surrogate Court, before Mon. Walter L. Livingston:—Maria Feise, of Flatlands; John Scannel, Louis Arustaedl, John Nebrbass, Luigl, Antonarol, Anna Jackson, Clarissa A. Smith, William Devan, Mary Myles, Jacob Kraemer and Bartholomew Rooney, all of Brooklyn.

Letters of administration were granted in the estates of the following named deceased persons, viz:—Ann McCartnoy, Elizabeth Ward, Annie Gast, Johanna Dalton, Margaret Dunn, Fanny Wilmarth, Patrick Gaherin, Susannah Cerall, John W. Newman, Aaron L. Maires, Caroline Rich (termerly Caroline Niedermayer), Margaretta Ahiera, Charles P. Guinck and Robert Corbett, all of Brooklyn.

Letters of guardianship of the estates of Charles Gast and George Gast were granted to Eldin B. Hayden, of Jennie Bachman to Henry B. Van Vicck, of Samuel L. Corse to Mary L. Gambier, all of Kings county.

REAL ESTATE.

There was a large attendance at the real estate salesrooms yesterday, and some cheap bargains were realized. The following parcels were sold:-

O'Neil and wile to William Lambert
MORTGAGES.
Broachens, Sarah and husband, to Robert B. Minturn, n. s of 64th st., w of 3a av. 5 years.
Banker, Puebe E. and husband, to Gilbert S. Hedden, s. so of 131st st., w of av. A; 1 year.
Boarden, Samnel, to John J. Santane, s. s. of 32d
st., w. of Manison av. 5 years.
Beekman, James W. and wife, to John H. Dyckman,
n. s of 94th st. c. of 1st av.
Charpentier, Rossile and husband, to Valentine
Viclenthaier, s. s. of 24th st., c. of 7th av.; justalments.
Clocke, Euretta and busband, to Penn Insurance
tompany, w. s. of Washington av. (23d warn); of
years. ments.
Clocke, Euretta and hosband, to Penn insurance Company, w. s. of Washington av. (23d warn); 6 years.
Gardwell, Samuel, to Thomas B. Kerr, n. s. of 40th st., w. of 6th av.; 3 years.
Holsworth, Edward I., and wife, to Henry F. Hills, s. s. of 9th st., e. of 4th av. instalment.
Kelly, Virginia F., to Owen flyrne, s. s. of e. Broadway; 5 years.
Lyous, Michael, to Jacob Leitersdorf, w. s. of Rivington st., w. of Lewis at: 4 years.
Lyous, Michael, to Jacob Nelager, s. s. of Sits st., e. of 2th av.; 1 year.
Metager, Henne to Jacob Nelager, s. s. of 5ts st., e. of 2th av.; 1 year.
Metalire, Jacob, to Catherine Gormely, Arthur st. (24th av. resultant)
Metalire, Jacob, to Catherine Gormely, Arthur st. (24th av. resultant)
Metalire, Jacob, to Catherine Gormely, Arthur st. (24th av. resultant)
Metalire, Jacob, to Catherine Gormely, Arthur st. (24th av. resultant)
Metalism av., s. of 6th st.; instalments
O'Nell Chas, and wife, to Ellen C. Van Wyck, s. s. of 12 st. st., w. of 5th st.; instalments
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O'Nell Chas, w. o Broat vs. Heares W., to David W. Brace, No. 4.2 Selimals william and wife, to Joseph Reckendorfer, s. e. conver of 8th st. and 4th av. instalments... Sleight, Barnet and wife, to Caroline L. Macy, w. s. of Waver op place, s. of Charles, 5 years. Walth, Edward F., to Charles E. Milhans, n. s. of 24th 8t., of 2d av.; 5 years. Same to same, n. s. of 24th st., c. of 2d av.; 5 years...

THE ELIZABETH STREET GANG.

Officer Burke lay in his home yesterday at No. 211 Bleecker street. His bead was swellen and covered with cuts and bruises, and his clothing saturated with with cuts and pruises, and his clothing saturated with blood. To a reporter, who conversed with him about his adventure of the previous night, he stated that at twelve o'clock Captain Allaire ordered him to per-form special duty in citizen's clothes. A particular injunction was given to keep a look out for sneak every suspicious person he met upon his route about the precinct. No one but the usual nocturnal denizons of the neighborhood met him on the way until he reached the corner of drawn to three young men who moved stealthily ticed. The officer followed them up Elizabeth street as far as No. 102, where two turned into a dark alley

sticed. The officer followed them up Elizabeth street as far as No. 102, where two turned into a dark alley and the other proceeded on his way. A moment later the pair came out, carrying a basket between them, and went along the street as far as No. 139 Elizabeth street, where they turned into a large, gloomy court. Burke then made up his mind that the men were thieves, for this alleyway is the resort of a desporate set of rufflans who subsist principally by putty thieving. He at once followed them, and in the darkness saw them stooping over their burden. He could not see their faces in the gloom and could barely discern their forms as they plunged deeper into the alleyway. He saw that he must act as once, and, stealing upon them, he caught hold of both at the same time saying:—
"I am an officer and you are my prisoners."
At these words a stone was thrown by some one in the alley which struck Burke upon the head. The blow caused the officer for a moment to stagger, but he did not relinquish his grasp upon the prisoners and proceeded at once to drag them out of their retreat. They offered no resistance and he had aimost reached the open air whom a piercing whistie rang through the alley and a voice shouted, "Hey, Billy!" At the same moment hall a dozen men threw themselves upon Burke and kept striking him about the head with large Saddle Rock oyster shells. Driven against the wall and hall blinded with blood, the officer drew his revolver and discharged it, as he says, at the ceiling, and only to frighten his assailants. At this they are up the alleyway are made their escape over the fences in the rear, one of them dropping in his flight a striped shirt which he had conceased under his coat. The basket they were carrying lay in the alleyway aimost full of oysters which they had stolen from some saloon. On going to the station house Burke's wounds were dressed and he was sent to bis home.

A FOWL SEPARATION.

A FOWL SEPARATION.

Philip Kaiser, of No. 647 Second avenue, lost a goose on the 30th of March. Officer John Meagher afterward found a goose in the possession of Edward Gates, and arrested him on suspicion of stealing the property of Mr. Kaiser. Yesterday, at the Fifty-seventh Street Court, Gates and the goose were in court. There was some question as to Gates' guilt, as he claimed he had bought the low! for \$1 50. Judge he claimed he had bought the low! for \$1 50. Judge Bixby was told a comrade goose was outside, so the two geese were allowed to exchange civilities in another room. Upon meeting they joyously raised their voices, and when the Gates one was taken into the court room the one outside put on sackcloth and ashes, as it were, and indulged in loud immentations. Mr. Kaiser, who was doubtful about the matter previous to this, instantly made an affidavit, which ended thus:—That deponent has now here the other goose, property of deponent, and that said geese when brought together recognized each other and appeared to know each other. Gates was held in \$300.

THE VALUE OF A FOOT.

The case of Bernard Stamm against the Southern Railroad of Long Island come up yesterday in the Brooklyn City Court, General Term, upon an appeal by the defendant from a judgment of the court below entered upon the verdict of a jury. On the evening of November 12, 1874, the plaintiff was driving along the track of defendants' railroad, being seated on a furni-ture wagon. He heard the train coming, and ture wagon. He heard the train coming, and turned aside, but was thrown from his soat, and the wheel of a passing car crushed his foot. Plaintiff who is a teamster, thrity-seven years of age, sustained the loss of the loot. Upon the first trial of the action the Court non-suited the plaintiff; upon the plaintiff appeal the General Term set aside the non-suit and ordered a new trial. The second trial resulted in a verdict for the plaintiff of \$17,000, upon which the judgment now appealed from was entered. The appellant claims that the unding of the jury that deiendant was guilty of the negligence which caused the accident is against the evidence. They claim that the cause of the accident was the driving of Stamm's wagon upon a neap of dirt which was lying in the street between the curb and the track. Another point raised is "the universal prejudice of juries against the defendant in all cases of this kind." They insist that for the item of suffering only there is no evidence that will justify more than \$500 damages; and that the plaintiff was only earning \$624 per annum. Upon the various grounds cited in the argument which was heard the defendants held, finally, that any verdict in the action above \$500 would be excessive. The Court took the papers and reserved its decision.

A POLICY HOLDER'S CLAIM.

Counsel for Clarinda R. Thorn made application yesterday to Justice Pratt, of the Kings County Supreme Court, to compel the receiver of the Continental Life Insurance Company to pay his client the sum of \$1,874, admitted to be due on the policy of insurance upon her late husband's life. Decision reserved,

MISSING JEWELRY.

Detective Price arrested Abraham Beninger yesterday on complaint of Mrs. C. Morrell, of No. 107 Downing street, Brooklyn. The prisoner, who is held to answer, is accused of having stolen \$200 worth of jowelry from the apartments of the plaintiff.

MARRIAGES AND DEATHS. MARRIED

MARRIED.

BROWN—SMITH.—Ic. Brooklyn, E. D., March 21, by the Rev. J. Hyatt Smith, Charles Albert Brown to Tillie F., daughter of the late Charles L. Smith.
Drekson—McBurney.—On Thursday, 29th ult., by the Rev. Robert B. Booth, Charles H. Drekson to Lucina M. McBurney, daughter of James C. McBurney, both of Jersey City, N. J.

Eicke—Kuck.—March 21, 1877, by the Rev. J. H. Lieker, Albert Eicke to Josephine Kuck, daughter of Fredrick Schaefer, all of this city.

FRYER—HUISE—On Thursday, March 29, at the residence of the bride's parents, 350 West 35th 8t., by the Rev. B. C. Lippincott, of Shawangunk, N. Y., assisted by the Rev. Carlos Martyn, of New York city, J. T. Fayer to Mrs. Anna E. Hulse, daughter of W. H. Lippincott, Esq. Ne cards.

DIED.

BENNEDICT.—At Harlem, on Friday, March 30, HarRIET BENNEDICT, aged 65 years, 4 months and 13 days.

Relatives and irlends of the family, and friends of
her son, Charles Batchelor, are invited to attend her
funeral, from her late residence, No. 165 East 126th st.,
on Monday, at one o'clock P. M.

BENNEMEME.—On Saturday evening, March 31, of
scarlet lever, STELLA A., beloved daughter of Adolph
and Famile Bernheimer, aged 7 years and 4 months.

The funeral will take place from the residence of her
parents, 145 West 42d st., Monday, April 2, at ten
o'clock A. M.

BOCH.—At West Flushing, L. L., Friday, March 30,
after a short lilbess, William Boch, in the 52d year of
his age.

BOCH.—At West Flushing, L. L., Friday, March 30, after a short liftness, William Boch, in the 52d year of his age.

Relatives and friends are respectfully invited to attend the funeral, on Monday, April 2, from his late residence, at West Flushing, at half-past one P. M. Train leaves Hunter's Foint at one o'clock.

BURCHERL.—At 600 Lexington av., on Saturday, March 31, Karis, eidest daughter of Henry J. and Mary J. Burchedl, aged 19 years and 5 months.

Relatives and friends are invited to attend the funeral from St. Thomas' church, corner 5th av. and 53d st., on Wednessay, April 4, at eleven A. M.

CONLEY.—The officers of the New York Penitentiary held a meeting on Friday evening, March 30, to take action in reference to the death of their late fellow officer. William Conley, who died March 29, at his residence, 641 West 42d st. W. W. Bowles, Deputy Warden, in the chair. It was unanimously resolved that a suitable set of resolutions be presented to the family of deceased, expressive of their sympathy, and that the "division" off duty attend the funeral im a body, on Sunday, at half-past one P. M.

WILLIAM J. COWLEY, Secretary.

CORWAY.—At Tompkinsville, Staten Island, Friday, March 30, Ann, wite of Michael Conway, aged 42 years.

Funeral from her late residence, Monday, April 2, at tend the funeral, from his late residence, 635 2d av.

Diymars.—At Middletown, N. Y. Adella Lourse, wife of O. G. Ditmars, in the 42d year of her age.

The funeral services will be held at the Church of the Holy Saviour, East 25th st., near Madison av., on Monday, April 2, at eleven A. M.

DURKHOLDER.—In this city, on Saturday morning, March 31, Simon K. Durkholder, in the fish the normal services, form his late residence, 635 2d av.

Diymars.—At Middletown, N. Y. Adella the Church of the Holy Saviour, East 25th st., near Madison av., on Monday, April 2, at eleven A. M.

DURKHOLDER.—In this city, on Saturday morning, March 31, Simon K. Durkholder, in the fish the normal services, with the second at the content and the superal servic

his age.
Friends are invited to attend the inneral services, from his late residence, 250 West 24th at., on Monday, April 2, at three P. M.
ERENY,—In this city, 31st ult., ANN MARIA, widow of the late Samuel Emery, of Boston, Mass., aged 69

Remains will be taken to Maine for luterment. Boston, Mass., and Portland, Me., papers please 1,000
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France.—On Saturday, March 31, 1877, Mary Ang, sife of Captain John Fordon, in the 62d year of her age. Relatives and friends are respectfully invited to attend the funeral services, trom her late residence, corner 7th and Monmouth sta., Jersey City, Sunday, April 1, at five P. M.
Finedax.—On Wednesday, March 28, at the residence of his parents, No. 82 Hester st., Ronay, youngest son of Thomas and Elizabeth Finegan, aged 2 years and 6 months.

of the parents, No. 52 Heater St., Rober, youngest chief the St. on No. 52 Heater St., Robert Pipers, and 6 months.

Interred in Calvary Cemetery.

FLYNK.—On March 29, Bridder FLYNK, beloved wife of Timothy Flyde, aged 45 years; native of the parish of Kliskier, county Meath, Ireland.

Relatives and friends of the family are respectfully invited to attond the funeral, from her late residence, 197 John St., Brooklyn, on Sundsy, April I, at two o'clock P. M.

GRANT.—On March 30, at his late residence, William 6. Grant, in the 95th year of his age.

His remains have been taken to Ithaca, N. Y., for interment.

GREENE.—In this city, March 30. Albert Harold, youngest child of Darwin A and Elizabeth J. Greene, aged 15 months.

Relatives and friends are respectfully invited to attend the Inneral services, at the residence of his parents, No. 232 East 117th at. April I, at two P. M.

GULPOVIE.—Saturday, March 31, 1877, WILLIAM J. GUINAND.—AUGUSTE GUINAND, at the residence of his son-in-law, Ed. Jeanneret, Rutherlurd Park, N. J., in the 95th year of his age.

Relatives and friends are invited to attend his funeral, Sunday, April I, at two P. M., from the French Protestant Chapel, No. 9 University place, to Greenwood Cemetery.

RESSEL—On Friday, March 30, EMMA, beloved wife of Horman Hessel, daughter of Leopold and Lotta Cohn.

Funeral from her late residence, No. 128 East 84th st., on Sunday, April I, at ten o'clock A. M. Relatives

HESSEL.—On Friday, March 30, EMMA, beloved wife of Herman Hessel, daughter of Leopold and Lotta Coho.

Funeral from her interesidence, No. 128 East 84th st., on Sunday, April 1, at ten o'clock A. M. Relatives and friends, also members of Rodef Sholem congregation, are invited to attend.

Hubburt.—March 30, at her late residence, 121 West 30th st., Annie Hubburt, a native of parish of Ribbin, county Cork, aged 27 years.

Funeral on Sunday, April 1, at one o'clock.

Hubburtsys—On March 20, William S. Hubburts, of New York, aged 64 years.

Johnston.—In Brooklyn, on March 29, Arthur Johnston, aged 65 years.

Relatives and friends are respectfully invited to material two, from the residence of his son, William Johnston, 37 Floet st.

Knowlton.—Joseph, son of Charles H. and Martha W. Knowlton, aged 9 months and 5 days.

Funeral service at his parents' residence, 340 East 14th st., on Sunday, April 1, at a quarter to one P. M., thence to Cypres-Hills Cemetery.

Kredll.—On Saturday, March 31, after a brief illness, Priscilla, wife of Wm. H. Krooli, in the 28th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 502 West 24th st., on Monday, April 2, at two o'clock.

Lamoneaux.—in Brooklyn, of scarlet fever, on Wednesday, March 25, Carrie Oriexla, the only daughter of Carrie C. and the late Andrew J. Lamoreaux, aged 6 years, 9 months and 15 days.

Relatives and iriends are respectfully invited to attend the funeral, from the residence of her mother, No. 10 Prospect place, Sunday, April 1, at three o'clock.

Marlow.—On Saturday, James Marlow, aged 39 years.

Relatives, friends family respectfully invited attend funeral, his late residence, 814 6th st. on Monday.

Marlow.—On Saturday, Janes Marlow, aged of years.

Relatives, friends family respectfully invited attend funeral, his late residence, 814 6th st., on Monday, April 2, one o'clock.

Marshall.—Suddenly, at Philadelphia, March 19, Isaac Marshall, aged 45 years.

His remains were interred at Octorara, Pa.

Martin,—At Spring Valley, N. J., on Friday, March 30, 1877, of diphiheria, Gazciar T., daughter of William A. and M. Theresa Martin, aged 3 years, 10 months and 25 days.

Relatives and friends are respectfully invited to attend the funeral, from the residence of her parents, No. 247 West 35th st., on Monday, April 2, at one o'clock P. M.

P. M.
MORRELL —Suddenly, at Newton, L. I., on Saturday,
March 31, John F. Morrell, in the 45th year of his

March 31, John F. Morrell, in the 45th year of his age.

Notice of funeral hereafter.

Murray.—On Saturday, the 31st uit, Marr, wife of Thomas R. Murray.

The relatives and friends of the family, together with those of her brother, John U. O'Hars, are respectfully invited to attend the inneral, on Monday, at one P. M., from the residence of her mother, 884 88th av.

MURRAY.—On Saturday, March 31, at ten A. M., of opneumonia, Mary J. Murray, the beloved wife of William J. O'Brien.

The friends of the family, and those of her brother, are respectfully invited to attend the funeral, from her inte residence, 2,427 1st av., between 124th and 125th sta, on Monday, the 2d day of April, 1877, at twelve o'clock.

SIS., on Monday, the 2d day of April, 1877, at twolve o'clock.

OWENS.—On Thursday, March 29, of membraneous croup, John Albert, youngest son of Dominick and Jane E. Owens, aged 3 years, 1 mouth and 22 days.

Funeral will take place on Sunday, at two P. M., from 225 High st., Brooklyn.

PAUL.—On Friday, March 30, Janes M. PAUL, druggist, a native of Dumbarton, Scotland, aged 32 years.

His friends and the friends of his father, Andrew Paul, are respectfully invited to his funeral, from his late residence, 189 6th av., on Sunday April 1, at two P. M.

POWENS.—In Brooklyn, at three P. M., March 30, 1877.

P. M.
Powgns.—In Brooklyn, at three P. M., March 30, 1877,
JOSHUA P. Powgns, in the 47th year of his age.
Funeral to take place at Unity chapel, Classon, near
Futton av., on Souday, April 1, three P. M. Friends
of family are respectfully invited without further no-

Fuherai services will be held at four o'clock this (Sunday) alternoon, at No. 551 Myrtle av. The romains will be taken to Sing Sing for interment in the 11 o'clock train from Forty-second street depot Monday morning. Robinson.—March 31, Susan Ambury, beloved wife of Joseph Robinson, atter a short filmess.

The Juneral will take place from her late residence, 56 Clarkson st., Monday, April 2, 1877, at one P. M., Root.—On Good Friday morning, of rheumatism of the heart, Louisa Alathea, eldest daughter of Milo B. and Louisa E. Root.

Funeral services at her late residence, No. 1,493 Broadway, at half-past nine A. M. on Monday, April 2, and at Christ Church, Hudson, N. Y., at half-past tirce P. M.

Sawin.—On Thursday, March 29, of pneumonia, at Ironton, Ohio, Leslie H., son of W. E. and Anna E. Sawin, in the 24th year of his age.

Funeral services will take place at their residence, Central Morrisania, Tucstay, April 3, at two P. M. Trains leave Grand Central Depot at 1:30.

Providence papers please copy.

Sawin.—On Sunday, March 26, at Auburn, Mass., Isaac Sawin, in the 56th year of his age.

Interred at Providence.

SAUL.—Suddenly, at Brooklyn, N. Y., March 31, Elizabeth, beloved wife of Andrew J. Saul.

Remains will be taken to North Egreimont, Mass.

SELLERS.—Albraham Sellerss, 224 Halsoy st., Brooklyn, March 30d, 1877, aged 49 years.

Funeral services at two P. M., on Monday, the 2d April, at residence. The remains will be taken to Engliand for interment.

SEE.—On March 21, Susan, widow of late R. H. See, of Phi:adelphia.

Interment at Philadelphia.

Shepfield.—On Wednesday, March 28, 1877, Mrs.—Mary Anna Shepfield.

Relatives and Islands are respectfully invited to attend her tuneral, on Sunday, April 1, at two o'clock, from the residence of her daughtor, 290 East 3d st. Sherry.—On March 31, Patrick Sherry, a native of Mullass, parish of Dona, county Monaghan, freland, in 34th year of his age.

Friends of the family are respectfully invited to attend her tuneral, on Sunday, April 1, at two o'clock, P.

John B

16. JOHN B. CUSACK, G. S.
JOHN B. CUSACK, G. S.
A. O. H., No. 16. —The officers and members of the above division are requested to assemble, with full regain, at Putnam Hail, 3d av., 12th st., on Monday, at one o'clock, to pay the last tribute of respect to our late brother, Patrick Sherry, of No. 16.
CHARLES HIGGINS, President.
P. GALVIN, Secretary.
SHERAN.—On Saturday, March 31, HENRY SHERAN, aged 65 years.

P. GALVIN, Secretary.

SHERAN.—On Saturday, March 31, HENRY SHERAN, aged 65 years.

The relatives and friends are invited to attend the funeral, from his late residence, Islaw., between 78th and 79th sts., on Monday, 2d inst., one o'clock.

SPENCER.—In Brooklyn, March 21, of pneumonia, Thomas S. SPENCER, iormerly of New Londou, Conn.

Remains interred on Friday in New York Bay Cometery.

STEELE. - March 29, in Pittsburg, Pa., Rev. T. CLARER

Westchester county papers please copy.
TH.TON.—Friday, March 30, at 7 East 43d st., ALFRED
E. TH.TON, aged 61 years.
Notice of funeral hereafter.
Washington papers please copy.
THLEF.—At Locust Valley, L. L., on Friday, March
30, Lucy, infant daughter of James R. and Sarah Tilley,
aged 1 years.

Tilley,—At Locust Valley, L. L. on Friday, March 30, Levy, infant daughter of James R. and Sarah Tilley, aged I year.

Relatives and friends of the family are invited to attend the funeral, at the residence of her parents, on Monday afternoon, April 2, on arrival of the ten A. M. train from Honter's Point.

Van Houten.—Of pneumonia, Mart E. Van Houten, aged 9 months and 6 days.

Funeral at two P. M. Sunday, from 59th st., between Braadway and 7th av.

Paterson and Passaie (N. J.) papers please copy.

Watsu.—March 31, at his residence, 345 East 56th st. Michael Walsh, aged 26, county Cork, Ireland.

Funeral from St. Vincent Ferrer's Church, 65th st. and Lexington av., at half-past ten, on Monday, April 2. Newport papers please copy.

Watsurvelt.—Harrier C., only daughter of Frazee S. and Lizzie A. Westervelt, aged 3 years and 7 months.

Relatives and friends are invited to attend the funeral services, this afternoon, at 5:30 P. M., at the residence of her parents, 406 West 55th st. Interment on Monday, at Bound Brook, N. J.

Welch.—On Saturday morning, at the residence of her son-in-law, Gouverneur K. Lansing, Mrs. Nancy Welch, widow of the late James H. Welch, in the 76th year of her age.

Notice of funeral in morning papers of Monday.

Wight.—At Philadelphia, Friday, March 30, of pneumona, Sazaan M., wife of Sheldon W. Wight.

FINANCIAL AND COMMERCIAL

The Stock Market Active, with a Further Decline in Prices.

GOLD STEADY AT 105.

Money on Call Easy at 1 s 4 Per Cent.

THE BANK STATEMENT.

Were the same question addresses to the proprietors of the Twenty-third street bear garden that was put to the contrarious Mary in the nursery rhyme, we should get an answer (if we got any at all) much more consistent with common sense and agricultural truth.

A mere giance at the stock market will assure the A mere giance at the stock market will assure the inquirer that the garden in question is growing anything but unprofitable "weeds and cockle seeds," but is rather blooming under an exuberance of financial fruits. The method of tiliage which has assisted toward this result, can hardly be commended, for it is founded upon a principle of talking down, selling down and generally stamping upon the corporative industries of the country. While there is no doubt that secondalous mismanasement, cooked reports and questions. scandalous mismanagement, cooked reports and ques-tionable practices among managing directors have in-vited, in many cases, the onstaught of pittless bears, it is also quite true that certain interests have suffered from the attack which are free from reproach. When the destructionists get well warmed up to work there is ne stock upon the list that, like Ciesar's wife, will be held above suspicion, and no security, however meritorious, that is a whit safer from attack than a head at Donnybrook fair. Western Union and the trunk railways came in for the cudgeling to-day, being exposed to it by a further reduction in rates by the Atlantic and Pacific Company and by the threatening seems to grow with what it feeds upon-which just now appears to be Western Union-and bids fair, if persevered in, to shelve the Post Office, as too slowgoing for the age. The latest reductions by the Attwenty-five cents for ten words between the East and the Missouri River) affected the shares of the old company very seriously to-day, there occurring a drop from 61 % to 57%, which was only slightly recovered from at the close. Nearly as depressing upon the trunk lines was the effect of the railroad emorogito. Extensive sales were made in Central and Hudson shares (many of them family keepsakes) at from 90% to 89%, and in Lake Shore and Michigan Central. The war is looked upon as threatening to be more "grim visaged" than ever, and the air is full of

charges, countercharges and attempted explanations. In this connection it is stated that Mr. Garrett, of the

Baltimore and Ohio road, disclaims all knowledge of

and declares that if any irrogular contracts have been

made they will be repudiated. It is also stated that

another meeting for the purpose of settling existing difficulties will be held in this city on Thursday next.

The representatives of Gould's new tripartite

alliance and the Burnington and Quincy road

was held yesterday at the Windsor Hotel,

proving decidedly more attractive to the habitual speculator than black diamonds the coal carriers were eft in comparative neglect. Consequently the fluctu-

resulting in a harmonious adjustment of disputed questions, an establishment of a fixed rate for freights, and the usual solemn promise and yow to stick to the same. Unfortunately, promises are as plenty as blackberries and seem to be rated as equally valuable by railroad officials. Trunk road shares

business less than for some days back. During the afternoon a slight recovery took place in and left prices but a shade better than they had pre-THE SALES TO-DAY. Fulton av., ou Sunday, April 2.

RETNOLDS.—In New York, March 31, 1877, Thomas
H. REYNOLDS, aged 21 years and 1 day.

Funeral will take place at 275 West 19th st., on Monday, April 2. Relatives and friends of the family are luvited to attend the tuneral. His remains will be taken to Caivary Cemetery.

Rominsons.—In Brooklyn, March 29, Anna G., widow of James W. Robinson, Jr.

Funeral services will be held at four o'clock this (Sunday) alternoon, at No. 551 Myrtle av. The remains will be taken to Sing Sing for interment in the 11 o'clock train from Forty-second street depot Monday morning.

In the second street se The sales of active stocks to-day aggregated 237,153 seph, 200; do. preferred, 100; Ohio and Mississippi, 2,000; Panams, 300; Western Union, 64,000; Pacide

Mail, 2,965. OPENING, HIGHEST AND LOWEST. The following table shows the opening, highest and

90% 137 ½ 55% 47 31 ½ 50% 100 18% 46% 59 87% 61 ¼ 107%

ADVANCE AND DECLINE. The following shows the advance and decline in the closing prices of the principal active stocks, as com-pared with those of Thursday:--

pared with those of Thursday:—

ADVANCE.—Delaware and Hudson, %.

BECLINE.—Western Union, 27%; Pacific Mail, %; New York Central, 1/%; Erie, 1; Lake Shore, 1/%; Union Pacific, %; Hitmos Central, 1/%; Pittsburg, %; Northwest preferred, %; C. C. C. C. and I., 1; New Jersey Central 3/4; St. Paul preferred, %; Wabash, %; Haunibal and St. Joseph, %; Hannibal and St. Joseph preferred, %; Michigan Central, 2/4; Burlington and Quincy, 1/4.

CLOSING PRICES—3 P. M.

The closing prices were :-

The closing prices were:—

Offered. Asked.

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Western Un. 68 584 C, C THE MONEY MARKET.

During the forenoon money on call loaned at 21/2 s 3 per cent; later there was an advance to 4 per cent, and then a decline to 1 per cent. The closing quotawere the rates of exchange on New York at the under mentioned cities to-day:-Savannah, buying 34, seliing 1-10; St. Louis, 100 premium; Charleston easier, 36 a 34 premium; New Orleans, commercial 5-16, bank 34, and Chicago, 25 to 50 premium. Foreign exchange is higher, the bankers baving advanced their asking rates to 4.84% for sixty days sterling and 4.86% for and 4.86 for sight drafts.

Gold opened and closed at 105, with sales during the day at 105%. The carrying rates were 1, 1%, 2, 3 and 4 per cent, and the borrowing rates 1, 1/2 and 2 per

4 per cent, and the borrowing rates 1, ½ and 2 per cent and flat.

CLEARING HOUSE STATEMENT.

Currency exchanges. \$26,382,150
Currency balances. \$2.140,985
Gold exchanges. \$1,837,623
Gold balances. \$1,837,623
Gold balances. \$15,010
WERKLY CLEARING HOUSE STATEMENT.

Currency exchanges. \$538,067,940
Currency balances. \$13,016,127
Gold exchanges. \$2.279,543
Gold balances. \$5,726,813
Gold clearings at the National Bank of the State of New York:—

The Treasury holds \$340,120,000 in bonds to secure

bank circulation, and \$19,333,000 to secure public de-posits. The national bank circulation outstanding is— Currency notes. \$318,400,000; gold notes, \$1,430,000